



Peter Brinton &lt;peterbrinton@utah.gov&gt;

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**urgent - Newman mine near Baker, NV**

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**Jerry W Mansfield** <jmansfie@blm.gov>

Tue, Jul 17, 2012 at 1:57 PM

To: peterbrinton@g.utah.gov

Hi Peter!

I am in Lake Havasu AZ on my detail; I will be here until mid-October, though I will be returning home on some weekends. I would not be available on July 25<sup>th</sup> for the Board meeting, sorry. I will try to answer your questions.

\*Our understanding is that the BLM determined that this material was common variety, and not locatable. Can you confirm whether this is the case? Does this explain the claims being closed or not approved?

BLM made a preliminary determination that landscape rock, which is what Mr. Newman was interested in obtaining would be considered a mineral material and therefore "saleable" and not "locatable" under BLM regulations. As far as I know no mining claims were ever closed, unless abandoned or terminated by Mr. Newman. I am also not aware that mining claims were not approved.

\* Did the BLM make any sort of decision or conclude that the site wasn't sand and gravel or rock aggregate?

BLM did not make any such decision, Mr. Newman applied to mine from bedrock the landscape rock he agreed to purchase.

\* Would you agree that Newman was mining in bedrock?

Yes

\* Do you know if Newman was ever mining anything that could conceivably be considered rock aggregate or sand and gravel, or something other than bedrock?

No, Mr. Newman did not apply to mine rock aggregate or sand & gravel

\* Do you know if the BLM ever use terms like sand and gravel or rock aggregate to describe the site? This would

be helpful to know going into our meeting.

I know that the sales contract was for Landscape rock and BLM did not use terms like sand & gravel or aggregate.

\* When we spoke about it most recently, you told me that the site wouldn't be a good candidate for a community pit, and we agreed on moving towards reclaiming the site. As I understand, this decision is based on its location. Would you consider the mine a good candidate to be a community pit? Can you confirm that BLM wants the mine to be reclaimed?

The remote location makes the site problematic as a community pit. I believe the best thing is for the site to be reclaimed. Material that was mined from bedrock and stockpiled at the site was sold to another party after Mr. Newman's contract had expired and the time allotted for him to remove his personal property had passed.

\*Are you available for testifying? Your message didn't indicate when you would be leaving town. Our Board will have the hearing on Wed, July 25th.

Not available, sorry.

I do not have a have a phone at the desk that I have been assigned as yet. My personal cell phone number is 801.644.6812. Please let me know a time and I will try to be available.

Jerry W. Mansfield

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**From:** Peter Brinton [mailto:peterbrinton@utah.gov]

**Sent:** Tuesday, July 17, 2012 1:29 PM